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28 MAY 2002

HJS

DOCKET NO.: 217552US0PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: KATOTO Minoru et al.

SERIAL NUMBER: 09/926,779

FILED: 18 December 2001

FOR: NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated 28 January 2002, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration and a Preliminary Amendment. As a result of the Preliminary Amendment, no multiple dependencies remain in the claims. Accordingly, no additional claims fees are due.

The required surcharge was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$ 400.00 is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



*Surinder Sachar*

Norman F. Oblon  
Attorney of Record  
Registration No.

Surinder Sachar  
Registration No. 34,423

22850

(703) 413-3000



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-------------------------------|-----------------------|------------------|
| 09/926,779                    | Minoru Kotato         | 217552US2PCT     |
| INTERNATIONAL APPLICATION NO. |                       | PCT/JPO0/03910   |
| I.A. FILING DATE              |                       | PRIORITY DATE    |
| 06/15/2000                    |                       | 06/18/1999       |

22850  
 OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
 FOURTH FLOOR  
 1755 JEFFERSON DAVIS HIGHWAY  
 ARLINGTON, VA 22202

ET

Date Mailed: 01/28/2002

CONFIRMATION NO. 1469  
 371 FORMALITIES LETTER



\*OC00000000734456\*

*Add. Claim Fees / Decl. Due 3-28-02*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

*RECEIVED*  
 1/28/02  
 03/14/02  
 MCCLELLAND  
 L.P.  
 1469

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$280 as a non-small entity, including any required multiple dependent claim fee,

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are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$280** for a Large Entity:

- Total additional claim fee(s) for this application is **\$280**
  - **\$280** for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/926,779                  | PCT/JP00/03910                | 217552US2PCT     |

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